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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/845,839
Filing Date: April 30, 2001
Appellant(s): JOHNSON ET AL.

Jody C. Bishop, Reg. No. 44,034
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed March 10, 2008 appealing from the Office action mailed January 11, 2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-30 are rejected under 35 U.S.C. 102(e) as being unpatentable over Blumenau (US Patent No. 6,263,445 B1), hereinafter referred to as Blumenau. This rejection is set forth in the prior Office Action.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-30 are rejected under 35 U.S.C. 102(e) as being unpatentable over Blumenau (US Patent No. 6,263,445 B1), hereinafter referred to as Blumenau.

In respect to Claim 1, Blumenau teaches:

- **a method comprising: storing discovery information relating to a storage device** (Discovery information is data which allows you to identify devices. Blumenau discloses (column 1, lines 7-9 & 52-67) storage device for managing stored data, wherein this data includes "discovery information" (column 4, lines 62-67, column 5, lines 1-12).)

- **querying said storage device for device identification information** (Blumenau discloses (column 4, lines 62-67, column 5, lines 1-12) queries to identify devices on the network which consists of world wide names and source identifiers which is "device identification information".)
- **comparing at least a portion of returned device identification information to at least a portion of said stored discovery information** (Blumenau discloses (column 8, lines 10-21, column 7, lines 15-25) comparison of device identifiers with entries in a table, wherein this table store discovery information (column 8, lines 47-35, column 9, lines 26-51).)

As per Claim 2, Blumenau teaches:

- **at least a portion of said stored discovery information includes device and host bus adapter information** (Blumenau discloses (column 6, lines 42-55) use of host bus adapter information.)

As per Claim 3, Blumenau teaches:

- **stored discovery information is obtained through at least one small computer system interface (SCSI) inquiry** (Blumenau discloses (column 5, lines 13-32) obtaining information through SCSI.)

As per Claim 4, Blumenau teaches:

- **stored discovery information is obtained through at least one element selected from the group consisting of: at least one system file; at least one system registry; and combinations thereof**

(Blumenau discloses (column 3, lines 13-20, 58-67) obtaining information from file servers, wherein these files combined create a registry.)

As per Claim 5, Blumenau teaches:

- **stored discovery information is obtained through at least one element selected from the group consisting of: operating system kernel application programming interface call; host bus adapter device driver library application programming interface; and some combination thereof** (Blumenau discloses (column 2, lines 8-17, column 4, lines 36-39) an interface for obtaining information.)

As per Claim 6, Blumenau teaches:

- **at least a portion of said returned device identification information includes Product ID, Vendor ID, and Product Revision information** (column 4, lines 62-67, column 5, lines 1-6)

As per Claim 7, Blumenau teaches:

- **returned device identification information includes standard device inquiry information** (Blumenau discloses (column 8, lines 10-21) address information, wherein address information is standard device inquiry information.)

As per Claim 8, Blumenau teaches:

- **stored discovery information includes device address information** (Blumenau discloses (column 8, lines 10-21) address information, wherein address information is standard device inquiry information.)

As per Claim 9, Blumenau teaches:

- **device address information includes claimed address information; and wherein said method further comprises: determining claimed address information for said storage device; and comparing said determined claimed address information to said stored claimed address information** (Blumenau discloses (column 8, lines 10-21) address information, wherein address information is standard device inquiry information.)

As per Claim 10, Blumenau teaches:

- **flagging said stored discovery information if said determined claimed address information does not match said stored claimed address information** (Blumenau discloses (column 8, lines 10-21, 47-65) comparison of address information, wherein request are ignored or dropped, wherein ignored or dropped requests are flagged data.)

As per Claim 11, Blumenau teaches:

- **stored discovery information further includes serial number information for said storage device, and wherein said method further comprises: querying said storage device for serial number**

information for said device (Blumenau discloses (column 4, lines 62-67, column 5, lines 1-6) identification information, wherein a serial number is identification information.)

- **comparing said serial number information received in response to said serial number information query to said stored serial number information** (Blumenau discloses (column 8, lines 10-21, column 7, lines 15-25) comparison of device identifiers with entries in a table, wherein this table store discovery information (column 8, lines 47-35, column 9, lines 26-51), wherein serial number information is a device.)

As per Claim 12, Blumenau teaches:

- **querying said storage device for serial number information for said device** (Blumenau discloses (column 4, lines 62-67, column 5, lines 1-12) queries to identify devices on the network which consists of world wide names and source identifiers which is “device identification information”.)
- **accepting said stored device address information as valid if an error is returned in response to said query** (Blumenau discloses (column 3, lines 38-57) validation of identification information.)

As per Claim 13, Blumenau teaches:

- **querying includes at least one small computer system interface (SCSI) inquiry** (Blumenau discloses (column 5, lines 13-32) obtaining information through SCSI.)

As per Claim 14, Blumenau teaches:

- **flagging said stored discovery information if said at least a portion of said returned information does not match said at least a portion of said stored discovery information** (Blumenau discloses (column 8, lines 10-21, 47-65) comparison of address information, wherein request are ignored or dropped, wherein ignored or dropped requests are flagged data.)

As per Claim 15, Blumenau teaches:

- **deleting or updating said stored discovery information if said stored discovery information is flagged** (Blumenau discloses (column 8, lines 10-21, 47-65) comparison of address information, wherein request are ignored or dropped, wherein ignored or dropped requests are deleted.)

As per Claim 16, Blumenau teaches:

- **storing discovery information includes storing discovery information on a host system and a storage management system** (Discovery information is data which allows you to identify devices. Blumenau discloses (column 1, lines 7-9 & 52-67) storage device for managing stored data, wherein this data includes “discovery information” (column 4, lines 62-67, column 5, lines 1-12).)
- **wherein said deleting or updating said stored discovery information includes deleting or updating said discovery**

information stored at said host system and at said storage management system (Blumenau discloses (column 8, lines 10-21, 47-65) comparison of address information, wherein request are ignored or dropped, wherein ignored or dropped requests are deleted.)

As per Claim 17, Blumenau teaches:

- **transmitting an event to said storage managements system requesting said storage management system to delete or update said discovery information stored at said storage management system** (Blumenau discloses (column 8, lines 10-21, 47-65) comparison of address information, wherein request are ignored or dropped, wherein ignored or dropped requests are deleted.)

As per Claim 18, Blumenau teaches:

- **storing said returned information as a new device** (Blumenau discloses (column 4, lines 50-61) new devices which consists of information.)

As per Claim 19, Blumenau teaches:

- **communicating an event requesting the addition of said returned information or an update of previous information using said returned information** (column 4, lines 13-34)

As per Claim 20, Blumenau teaches:

- **preventing communication between a storage management system and said device during said storing said returned information as a**

new device (Blumenau discloses (column 9, lines 45-47) prevention of communication.)

In respect to Claim 21, Blumenau teaches:

- **a system comprising: means for storing discovery information for a storage device** (Discovery information is data which allows you to identify devices. Blumenau discloses (column 1, lines 7-9 & 52-67) storage device for managing stored data, wherein this data includes "discovery information" (column 4, lines 62-67, column 5, lines 1-12).)
- **means for querying said storage device for device identification information** (Blumenau discloses (column 4, lines 62-67, column 5, lines 1-12) queries to identify devices on the network which consists of world wide names and source identifiers which is "device identification information".)
- **means for comparing at least a portion of device identification information received in response to said query to at least a portion of said stored discovery information** (Blumenau discloses (column 8, lines 10-21, column 7, lines 15-25) comparison of device identifiers with entries in a table, wherein this table store discovery information (column 8, lines 47-35, column 9, lines 26-51).)

As per Claim 22, Blumenau teaches:

- **discovery information includes device address information** (Blumenau discloses (column 8, lines 10-21) address information, wherein address information is standard device inquiry information.)

As per Claim 23, Blumenau teaches:

- **device address information includes claimed address information for said storage device; and wherein said system further comprises: means for determining claimed address information for said device** (Blumenau discloses (column 8, lines 10-21) address information, wherein address information is standard device inquiry information.)
- **means for comparing said determined claimed address information to said stored claimed address information** (Blumenau discloses (column 8, lines 10-21) address information, wherein address information is standard device inquiry information.)
- **means for flagging said stored discovery information if said determined claimed address information does not match said stored claimed address information** (Blumenau discloses (column 8, lines 10-21, 47-65) comparison of address information, wherein request are ignored or dropped, wherein ignored or dropped requests are flagged data.)

As per Claim 24, Blumenau teaches:

- **discovery information further includes serial number information for said storage device, and wherein said system further comprises: means for querying said storage device for serial number information for said storage device** (Blumenau discloses (column 4, lines 62-67, column 5, lines 1-6) identification information, wherein a serial number is identification information.)
- **means for comparing said serial number information received in response to said serial number information query to said stored serial number information** (Blumenau discloses (column 8, lines 10-21, column 7, lines 15-25) comparison of device identifiers with entries in a table, wherein this table store discovery information (column 8, lines 47-35, column 9, lines 26-51), wherein serial number information is a device.)
- **means for flagging said stored discovery information if said received serial number information does not match said stored serial number information** (Blumenau discloses (column 8, lines 10-21, 47-65) comparison of address information, wherein request are ignored or dropped, wherein ignored or dropped requests are flagged data.)

As per Claim 25, Blumenau teaches:

- **means for querying said storage device for serial number information for said device** (Blumenau discloses (column 4, lines 62-67, column 5, lines 1-12) queries to identify devices on the network which consists of world wide names and source identifiers which is "device identification information".)
- **means for accepting said stored device address information as valid if an error is returned in response to said query for serial number information** (Blumenau discloses (column 3, lines 38-57) validation of identification information.)

As per Claim 26, Blumenau teaches:

- **means for flagging said stored discovery information if said at least a portion of said received information does not match said at least a portion of said stored discovery information** (Blumenau discloses (column 8, lines 10-21, 47-65) comparison of address information, wherein request are ignored or dropped, wherein ignored or dropped requests are flagged data.)

As per Claim 27, Blumenau teaches:

- **means for deleting or updating said stored discovery information if said stored discovery information is flagged** (Blumenau discloses (column 8, lines 10-21, 47-65) comparison of address information,

wherein request are ignored or dropped, wherein ignored or dropped requests are deleted.)

As per Claim 28, Blumenau teaches:

- **means for preventing communication between a storage management system and said storage device when said stored discovery information is being deleted or updated** (Blumenau discloses (column 9, lines 45-47) prevention of communication.)

In respect to Claim 29, Blumenau teaches:

- **a system comprising: at least one host system, wherein at least one storage device is embedded in or coupled to each of said at least one host system; and wherein each of said at least one host system stores information relating to said at least one storage device embedded in or coupled thereto** (Discovery information is data which allows you to identify devices. Blumenau discloses (column 1, lines 7-9 & 52-67) storage device for managing stored data, wherein this data includes "discovery information" (column 4, lines 62-67, column 5, lines 1-12).)
- **at least one host agent process, wherein each of said at least one host agent process resides on a respective host system of said at least one host system** (column 4, lines 3-12)
- **wherein each of said at least one host agent process is operable to query said at least one storage device embedded in or coupled to**

said host system on which said host agent process resides for device identification information (Blumenau discloses (column 4, lines 62-67, column 5, lines 1-12) queries to identify devices on the network which consists of world wide names and source identifiers which is "device identification information".)**, as well as to compare information returned by said at least one storage device to at least a portion of discovery information stored for said at least one storage device at said host system to which said at least one storage device is coupled** (Blumenau discloses (column 8, lines 10-21, column 7, lines 15-25) comparison of device identifiers with entries in a table, wherein this table store discovery information (column 8, lines 47-35, column 9, lines 26-51).)

As per Claim 30, Blumenau teaches:

- **at least one host agent process queries said at least one storage device during system start up or doing a discovery polling period** (Blumenau discloses (column 4, lines 62-67, column 5, lines 1-12) queries to identify devices on the network consisting of a host agent process, which consists of world wide names and source identifiers which is "device identification information".)

(10) Response to Argument

I. Response to Appellant's Argument Regarding claims 1-30 that the prior art of record does not teach the limitation of claims 1, 21 & 29, reciting, "storing discovery information relating to a storage device; querying said storage device for device identification information; and comparing at least a portion of returned device identification information to at least a portion of said stored discovery information". The Examiner respectfully disagrees.

As an initial matter, appellant asserts that Blumenau does not disclose storing discovery information relating to a storage device. As noted in the prior action, "discovery information" is information associated with a device which uniquely identifies that device. Blumenau teaches (column 7, lines 9-25) storage of "discovery information" in a configuration database of a host device, wherein this host device is a storage device. Appellant is reminded that the broadest reasonable interpretation of a "storage device" is a device which has the capabilities of storing data or information. Blumenau teaches (column 3, lines 12-16) that these devices may be host processors or file servers, both of which are storage devices. Thus, identification information or "discovery information" as disclosed by Blumenau (column 1, lines 7-9 & 52-67, column 4, lines 62-67, column 5, lines 1-12) of devices teaches the recited limitation, "storing discovery information relating to a storage device".

Appellant further submits that Blumenau does not disclose querying a storage device for identification information. As noted in the prior action, giving the broadest

reasonable interpretation a storage device is a component something used to perform a storage task, thus the storage system of Blumenau is a storage device. Therefore, Blumenau does in fact teach (column 4, lines 62-67, column 5, lines 1-12) "querying a storage device for device identification information".

Appellant further submits that Blumenau does not disclose comparing at least a portion of returned device identification information to at least a portion of said stored discovery information. As noted in the prior action, Blumenau discloses (column 8, lines 10-21, column 7, lines 15-25) comparison of device identifiers with entries in a table, wherein this table store discovery information (column 8, lines 47-35, column 9, lines 26-51).

II. Appellant also argues that the prior art of record fails to teach the limitation of claims 9 & 23 reciting, "device address information includes claimed address information; and wherein said method further comprises: determining claimed address information for said storage device; comparing said determined claimed address information to said stored claimed address information; and querying said storage device for serial number information for said storage device".

Examiner respectfully disagrees.

Blumenau teaches (column 8, lines 10-21) a comparison of address information which is queried identification information (column 7, lines 10-15), in a storage device and the storage system. A storage system network address is compared with stored address information for validation of each request.

III. Appellant also argues that the prior art of record fails to teach the limitation of claims 11 & 24 reciting, "stored discovery information further includes serial number information for said storage device, and wherein said method further comprises: querying said storage device for serial number information for said device; and comparing said serial number information received in response to said serial number information query to said stored serial number information". Examiner respectfully disagrees.

A serial number is a form of identification information which uniquely identifies a device. Blumenau teaches (column 7, lines 15-25) a source ID of a storage device which is a form of identification information that uniquely identifies or distinguishes a particular device. Blumenau goes further to disclose (column 9, lines 26-51) unique identifiers associated with storage devices, which are compared with stored identification information for purposes of validation. Thus these forms of unique identifiers are equivalent to a serial number.

IV. Appellant also argues that the prior art of record fails to teach the limitation of claim 16 reciting, "storing discovery information includes storing discovery information on a host system and a storage management system; and wherein said deleting or updating said stored discovery information includes deleting or updating said discovery information stored at said host system and at said storage management system". Examiner respectfully disagrees.

Blumenau teaches (column 7, lines 10-15) updating of a configuration database when network devices are changed or updated, wherein the configuration database is a storage system which includes identification information of storage devices (column 7, lines 15-25).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Conclusion

The prior art of record discloses the recited limitations of claims 1, 21, & 29 specifying, "storing discovery information relating to a storage device; querying said storage device for device identification information; and comparing at least a portion of returned device identification information to at least a portion of said stored discovery information". The prior art of record also discloses the limitation of claims 9 & 23 specifying, "determining claimed address information for said storage device; and comparing said determined claimed address information to said stored claimed address information". Further, the prior art of record discloses the recited limitations of claims 11 & 24 specifying, "querying said storage device for serial number information for said device; and comparing said serial number information received in response to said serial number information query to said stored serial number information". Finally, the prior art of record discloses the limitations of claim 16 specifying, "deleting or updating said stored discovery information includes deleting or updating said discovery information stored at said host system and at said storage management system". Therefore the prior art of record anticipates all pending claims. In light of the foregoing arguments, the Examiner respectfully request the honorable Board of Appeals and Interferences to sustain the rejection

Respectfully submitted,
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